

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed July 25, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(e)

Claims 7-29 and 31-37 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Yacoub* (U.S. Pub. No. 2003/0011805). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the *Yacoub* reference. Applicant discusses the *Yacoub* reference and Applicant’s claims in the following.

A. The Yacoub Disclosure

Yacoub discloses a “virtual printer” that determines the most appropriate printer as determined by user print job preferences and physical location. *Yacoub*, Abstract. *Yacoub*’s virtual printer makes the physical location determination by consulting a map that indicates the position of the various printers in a system with X and Y coordinates. As described by *Yacoub*:

In another embodiment, the virtual printer/server will access a coordinate mapped list of the physical locations of each printer. The topmost ranked printer according to speed and quality will be indexed with the coordinate (X_1, Y_1) . The user or workstation generating the print job can also be identified by a coordinate location by accessing a similar coordinate map list for workstations, and has a coordinate (X_2, Y_2) . The distance between the topmost ranked printer and the user/workstation is determined by server/virtual printer computing the formula $\{\text{square root}\} \{\text{square root over } ((X_2 - X_1)^2 + (Y_2 - Y_1)^2)\}$. If the second ranked printer is determined by the virtual printer/server to be equally or closely capable with the topmost ranked printer, then the distance of the second ranked printer (coordinate (X_3, Y_3)) is determined according to the formula $\{\text{square root}\} \{\text{square root over } ((X_3 - X_2)^2 + (Y_3 - Y_2)^2)\}$. This distance is compared with the distance from the user to the topmost ranked printer to determine which of the two printers is most "appropriate" printer complying with the user's speed/quality preferences and closer than other printers of similar capability.

Yacoub, paragraph 0027.

Significantly, *Yacoub* says *nothing* about determining locations/distances of printers in relation to determining a switch and/or port to which the printer is coupled.

B. Applicant's Claims

Yacoub fails to teach several of Applicant's claim limitations. Beginning with independent claim 7, it is clear that *Yacoub* does not teach "obtaining, for at least one of one or more network switches in the network, an indication of which port of the network switch a computing device is coupled to", "obtaining, for each of the one or more identified devices and for the at least one network switch, an indication of which port of the network switch the identified device is coupled to", or "determining, for at least one of the one or more identified devices, how

physically distant the identified device is to the computing device, wherein the determining is based at least in part on the indication of which port of the network switch the computing device is coupled to and the indication of which ports of the network switch the one or more identified devices are coupled to". Instead, as noted above, Yacoub determines location/distance of printers based upon an X-Y coordinate map. Applicant notes that nothing in the Yacoub disclosure indicates or suggests that the "map" is a mapping of the network switches and ports. Indeed, it appears clear that the map is simply a conventional map on which X and Y coordinates are defined.

Regarding independent claim 20, Yacoub does not teach "obtaining, for each of the identified one or more other devices and for at least one of the one or more network switches, an indication of which port of the network switch the device is coupled to, wherein the indication is obtained from at least one of the one or more network switches" or "ranking, based at least in part on the obtained indications as well as which port of the network switch the computing device is coupled to, the one or more other devices in terms of their inferred physical proximity to the computing device" for reasons described above.

Finally, regarding independent claim 29, Yacoub does not teach "discovering network switches in a network", "determining each switch and each port to which the devices are coupled", "determining each switch and each port to which a user computer is coupled", or "ranking the devices based upon their inferred physical proximity to the user computer" for reasons described above.

Due to the shortcomings of the Yacoub reference described in the foregoing, Applicant respectfully asserts that Yacoub does not anticipate Applicant's claims. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

II. Claim Rejections - 35 U.S.C. § 103(a)


Claim 30 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yacoub* in view of *Office Notice*. Applicant respectfully traverses this rejection.

As is identified above, Yacoub does not teach several aspects of Applicant's claims. In that the Examiner's application of Official Notice does not remedy the deficiencies of the Yacoub reference, Applicant respectfully submits that claim 30 is allowable for at least the same reasons that claim 29 is allowable over Yacoub.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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